

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

XR COMMUNICATIONS, LLC, dba
VIVATO TECHNOLOGIES,

Plaintiff,

v.

AT&T SERVICES INC.; AT&T MOBILITY
LLC; and AT&T CORP.,

Defendants,

NOKIA OF AMERICA CORPORATION and
ERICSSON INC.,

Intervenors.

Case No. 2:23-cv-00202-JRG-RSP
(Lead Case)

JURY TRIAL DEMANDED

**JOINT MOTION TO TAKE RULE 30(b)(6) DEPOSITION
AFTER CLOSE OF FACT DISCOVERY PERIOD**

Plaintiff XR Communications LLC dba Vivato Technologies (“Plaintiff”) and Defendants AT&T Corp., AT&T Mobility LLC, and AT&T Services, Inc. (AT&T”), Verizon Communications, Inc. and Cellco Partnership d/b/a Verizon Wireless (“Verizon”), T-Mobile USA, Inc. (“T-Mobile”), and Intervenors Ericsson Inc. (“Ericsson”) and Nokia of America Corporation (“Nokia”) (collectively, “Defendants/Intervenors”) (collectively “the Parties”) hereby jointly file this Joint Motion to Take Rule 30(b)(6) Deposition After Close of Fact Discovery Period.

In its Third Amended Docket Control Order, the Court set the close of fact discovery on April 4, 2025. A discovery issue arose at the end of fact discovery and part of the parties’ agreement to resolve that issue is Plaintiff agreeing to make available a representative for a 45 minute (or less) deposition on April 11, 2025. Allowing this deposition will alleviate the need for the Court to address the motion contemplated in the Motion to Extend the Deadline to File Certain Motion to Compel (Dkt. No. 147), and the Second Motion (Dkt. 149).

Accordingly, this extension is not sought for purposes of delay, and the Parties do not anticipate this extension to affect any other deadlines in this case.

A proposed order is attached herewith.

Dated: April 10, 2025

Respectfully submitted,

/s/ Marc Fenster

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CERTIFICATE OF SERVICE

The undersigned certifies that all counsel of record who are deemed to have consented to electronic service are being served with a copy of this document via the Court's CM/ECF system per Local Rule CV-5(a)(3) on April 10, 2025.

/s/ Matthew S. Yungwirth
Matthew S. Yungwirth

CERTIFICATE OF CONFERENCE

The undersigned hereby certifies that counsel for the Parties met and conferred to discuss the substantive issue addressed in this Motion pursuant to Local Rule CV-7(h), including but not limited to a telephonic meet and confer between lead and local counsel for the parties. The Parties agree to the relief requested in this Motion.

/s/ Matthew S. Yungwirth
Matthew S. Yungwirth